



Department of  
Design and Construction

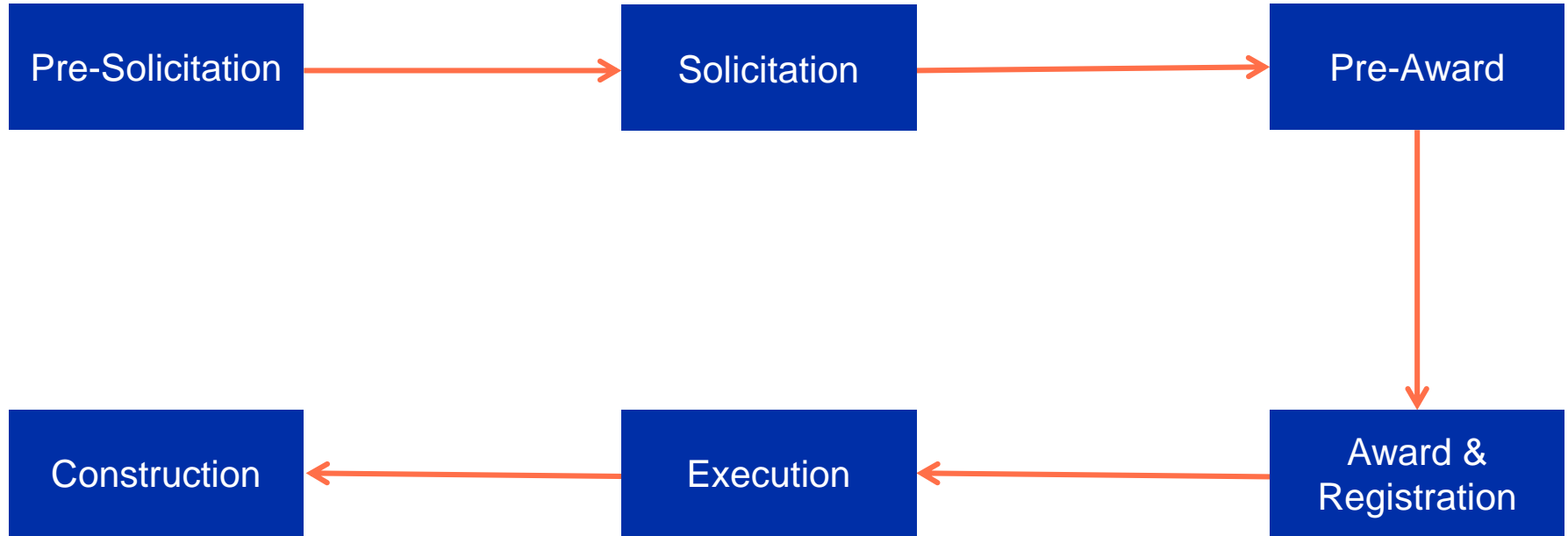
# PROCUREMENT

**Nick Mendoza**

**Agency Chief Contracting Officer**

Ana Barrio  
Acting Commissioner

# Procurement Phases



# Pre-Solicitation

## What should a vendor do to prepare for an award from DDC?

- Vendors should sign up in **PASSPort** today if they are interested in working with the City
  - **PASSPort** is the City's Vendor management system (replaced VENDEX in the summer of 2017)
  - All disclosures and information is filed and certified online, no paper documents are required.
- Clear up outstanding tax, ECB, OSHA, etc. violations and liens

# Solicitation Phase

## During the solicitation phase vendors should:

- Check website for any Addenda
- Confirm deadlines:
  - Question submission
  - MWBE Schedule B Utilization Plan waiver request
  - Pre-bid meeting/site visit
  - Submission Deadline
- Confirm bid security amount and form, if any
- Separate sealed envelope of proposed subcontractors, if applicable
- Confirm completeness of all forms and documents, including:
  - Bid forms - check for math errors!
  - MWBE Schedule B Utilization Plan
  - Signed Addenda

# Pre-Award

- Complete Department of Labor Services Employment Reports
- Respond to Executive Order 102 related inquiries
- Cure any MWBE Schedule B Utilization Plan deficiencies
- Attend and be prepared for any pre-award meetings
- Clear up outstanding tax, ECB, OSHA, etc. violations and liens

# Execution and Registration

- Obtain P+P bonds that are consistent with contract requirements
- Obtain insurance certificate which fulfills the contract requirements
- Begin preparing early submittals, e.g. subcontractor approval requests
- Execute Contract at DDC

**Upon execution of the contract, DDC will submit for registration with the Comptrollers office, a process which can take up to 30-calendar days.**

# Construction Phase

- Begin submitting subcontractor approval requests, and complying with Payee Information Portal (PIP)
- List of Subcontractors is required within 30-days of Notice To Proceed issuance
- Subcontractor payment amounts must be tracked in PIP
- Agency legally required to conduct Vendor Performance Evaluations (PEs) at least once every year. If necessary, submit timely response before PE is locked in **PASSPort**
- Project Labor Agreement Census compliance
- HireNYC compliance

# What is PIP?

**PIP provides assistance for payees or vendors who do business with the City of New York**

**Registered vendors can:**

- Check payment status
- Update business information
- View agreements and invoices from City agencies
- Enroll for commodity codes to receive solicitations from the City
- Update and report subcontracts and payments made to subcontractors
- Download applications forms

# What is HireNYC?

- A suite of programs designed to leverage the City's purchasing power to encourage the hiring of employment-seeking residents
- Applies to solicitations for goods and services contracts above \$1 million dollars solicited on or after October 15, 2015
- Through this public/private partnership, the city's workforce will have access to thousands of potential job opportunities through the City's HireNYC pipeline
- Administered by Workforce1, a free employment service operated by the Department of Small Business Services
- Qualifying vendors are required to enroll with the HireNYC portal
- Share information on all open entry to mid-level positions
- Interview qualified candidates and provide feedback on individuals interviewed



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Design and Construction

# FEDERALLY AND NON-CITY FUNDED PROJECTS

**Tom Libonati**

**Federal Contracts Compliance Officer**

Ana Barrio  
Acting Commissioner

\$750  
million

**FHWA and FTA  
Funded Projects**

\$150  
million

**FEMA Funded Projects**

\$1  
billion

**HUD Funded Projects**



**FHWA/FTA**



**FEMA SITES**



**HUD SITES**



**DBE Goals** – Disadvantage Business Enterprises

**EEO** – Minority and Female Workforce Utilization Goals

**Prompt Payment to Vendors** – 7 day threshold

**Prevailing Wage** – Labor Law 220 Prevailing Wage Schedule

**Buy America Requirements**

**Subcontract Agreements**

**Affirmative Action Reporting**

**FHWA Projects** - EBO System (Equitable Business System)

**FTA Project** - Paper Format

**HUD Projects** - Elation System



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# OFFICE OF ENGINEERING AUDIT

**Chris Igweatu, PE**  
**Engineering Audit Officer**

Ana Barrio  
Acting Commissioner

# Office of Engineering Audit

- Independent audit and certification of payments and change orders
- Compliance with Comptroller and other NYC directives, NYC Administrative Code, NY State Laws

## **Proper preparation of invoices and documentation – avoid payment delay**

- Submittal of documentation to support changes
- Documentation for T&M work – labor, equipment and materials
- Cancelled checks for reimbursable charges

## **Compliance with Labor Law 220 – Prevailing Wage Requirements**

- Certified payroll and payment of supplemental benefits
- Prime contractor and subcontractor responsibilities

## **Proper change order scope and preparation of change order proposal**

- Understanding the scope of the original contract
- Compliance with Article 26 requirements on costs and limitations
- Prompt submission of change order requests from contractors
- Claims versus change orders



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# **SAFETY**

**John DeVito**

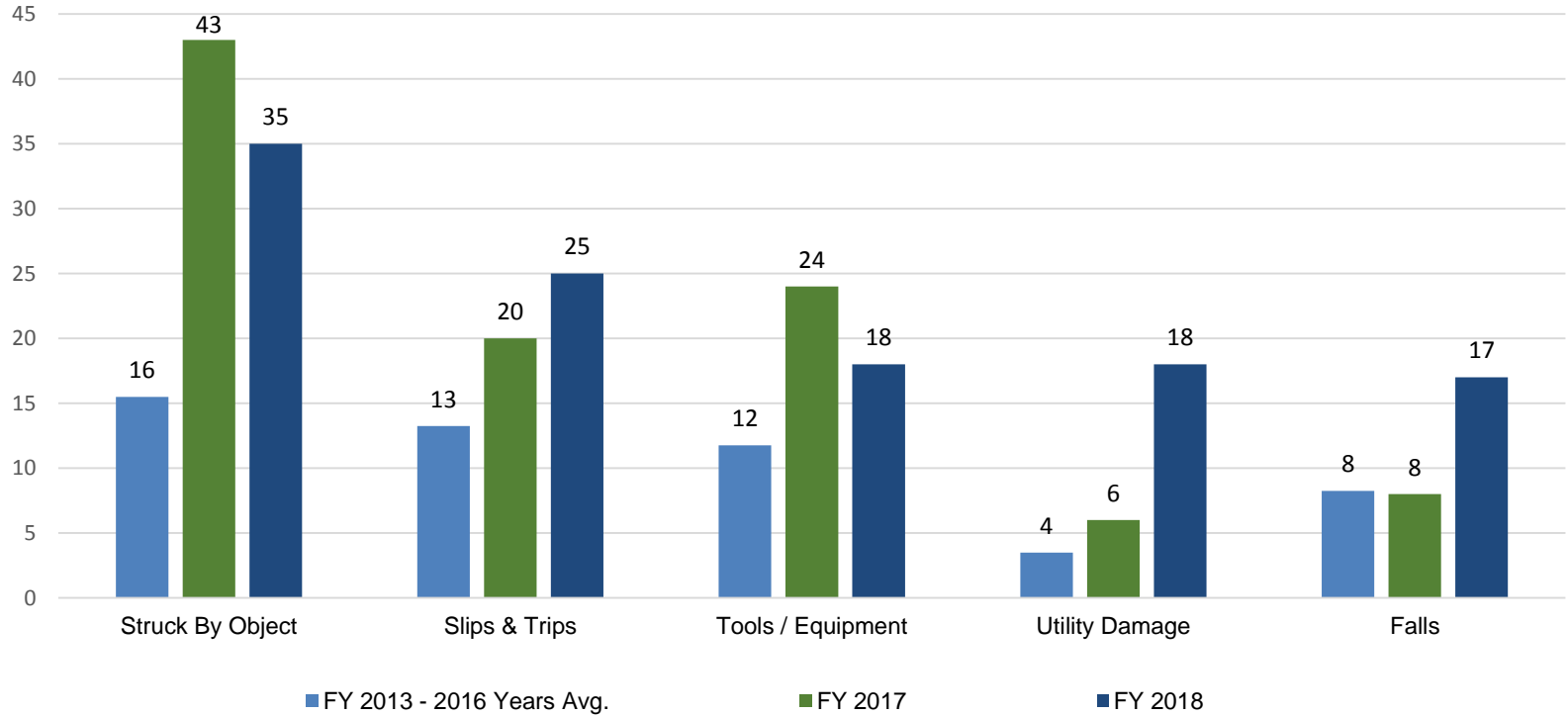
**Director, Quality Assurance &  
Construction Safety  
Safety & Site Support**

Ana Barrio  
Acting Commissioner

# DDC Mission Statement

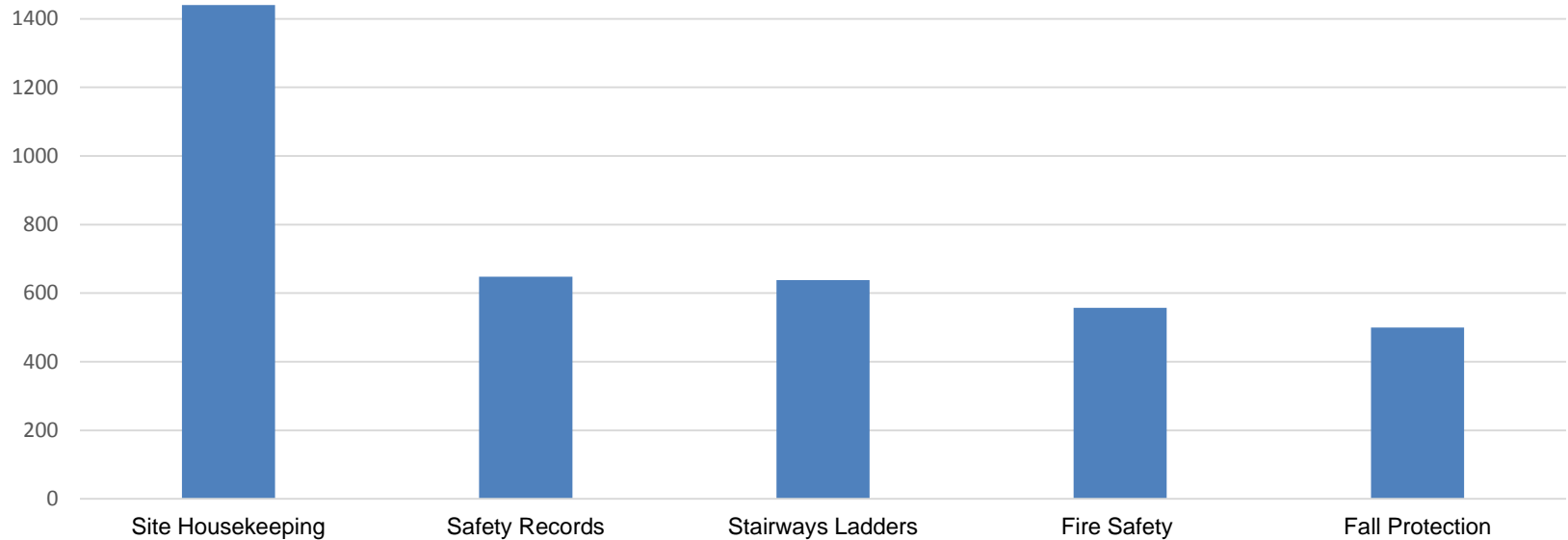
To deliver the city's construction projects in a safe, expeditious, and cost-effective manner while maintaining the highest degree of architectural, engineering, and construction quality.

# Top 5 Accidents/Incidents - Public Buildings

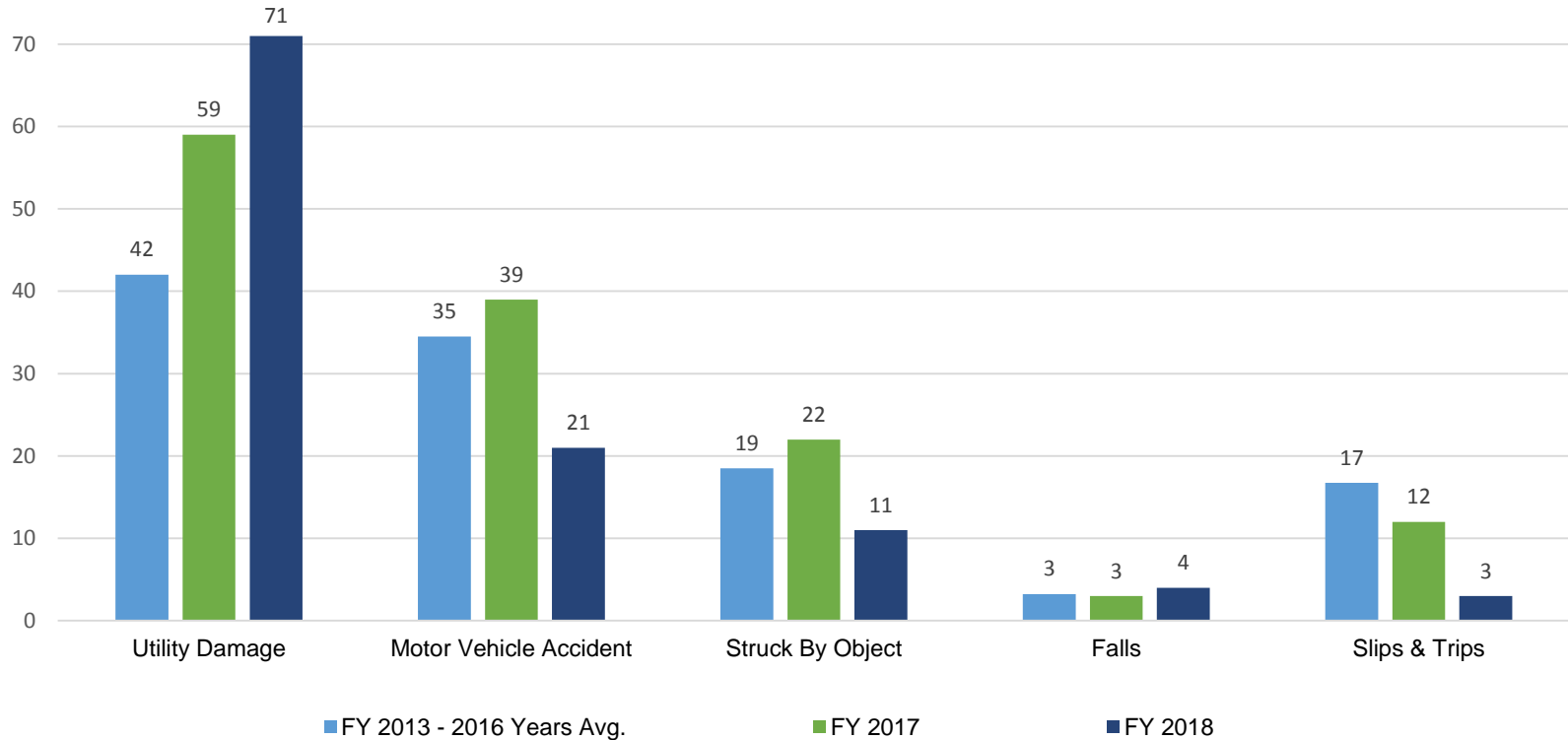


# Top 5 Areas of Most Frequently Cited Deviations March 2017 - March 2018

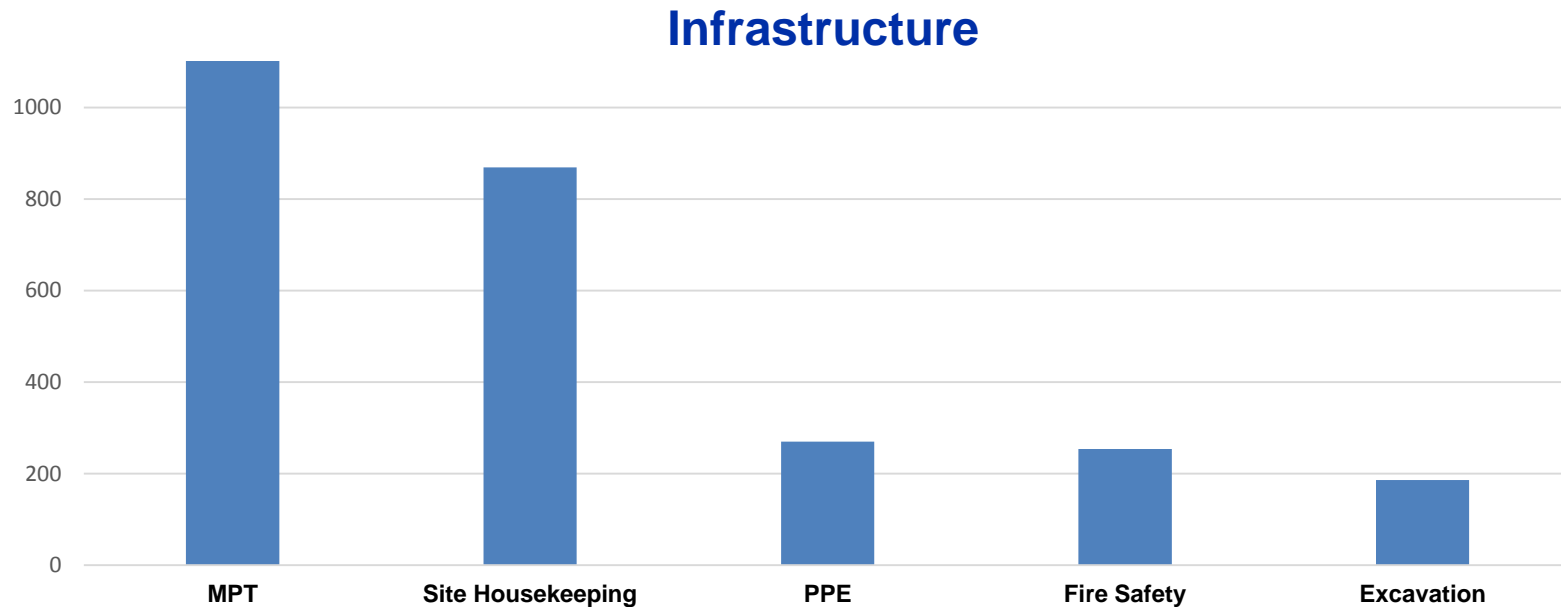
## Public Buildings



# Top 5 Accidents/Incidents - Infrastructure



# Top 5 Areas of Most Frequently Cited Deviations March 2017 - March 2018



# PLAN Means & Methods, Site Safety Plans, JHAs



In October, 2017, while excavating with mechanized equipment for the installation of a trunk water main, the contractor damaged a 12-inch diameter natural gas main. The damage resulted in an interruption of service affecting 500+ customers and the evacuation of a school. The contractor had a valid One Call ticket, and the damaged gas main was accurately marked out. The contractor used mechanized equipment within the tolerance zone.

In September, 2017, while transporting barrels and signs in the bucket of a payloader/backhoe excavator, the operator struck a parked unoccupied private motor vehicle, resulting in a shattered rear windshield. The backhoe operator had the bucket raised, restricting his view, which contributed to the incident. In addition, the contractor failed to assign a spotter/flagger to guide or direct the backhoe operator.



# TRAIN Hazard Recognition & Task Specific Training

In August 2018, while attempting to exit the scissor lift onto the roof line, a worker slipped and fell approximately 4-feet back onto the scissor lift platform. The worker injured his right elbow, shoulder, and hip. The lift was extended to a height of approximately 53 feet, falling short of the roof leading edge by 4-5 feet. The injured worker had no previous experience and training on how to operate a scissor lift.



# IMPLEMENT

## Equipment & Tools, Engineering Controls, PPE...

In January 2018, a contractor employee was working on a 20-foot ladder. The ladder was unsecured and began to shift, when the employee jumped off the ladder from a height of approximately 8-10 feet. The injured employee suffered a fractured ankle. The root cause of this accident was the improper use/installation of the ladder.

In April 2018, while working in an excavation during the installation of a water main, a contractor employee was injured during the partial collapse of the trench. The employee suffered an injury to the knee. The depth of the excavation was measured at 5 feet with an undermining condition. A protective system was not in place.



# What to Watch For

Continuous Enforcement of Project Safety Plans and JHAs

Comprehensive Safety Audits of Field Conditions

## **Initiatives:**

Revision of Contract Safety Requirements

Development of Site Specific Safety Plan Template



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# Thank you

Ana Barrio  
Acting Commissioner

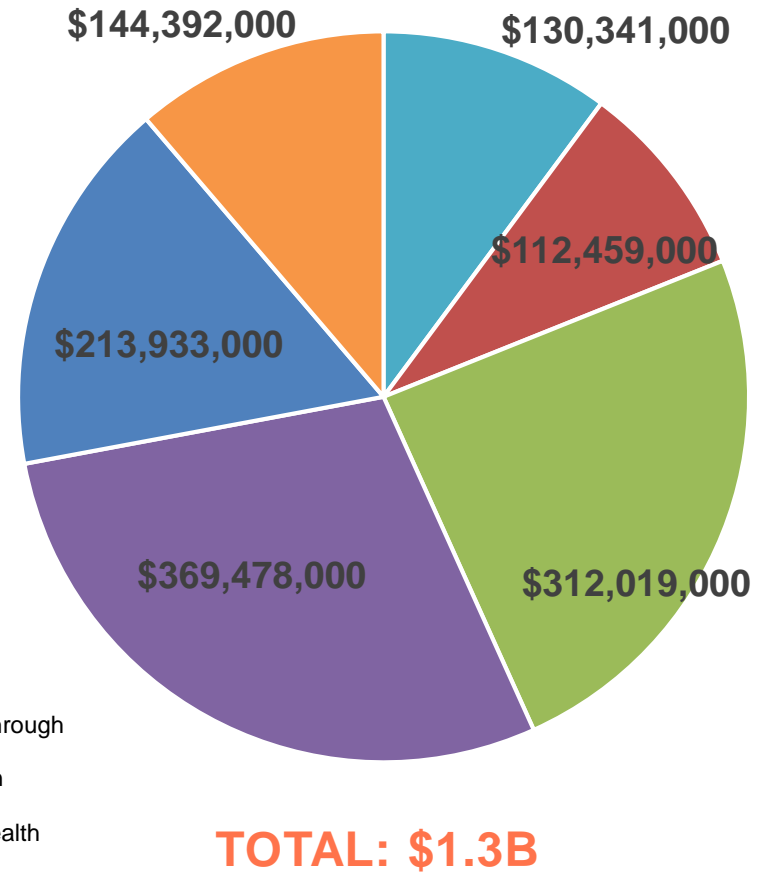
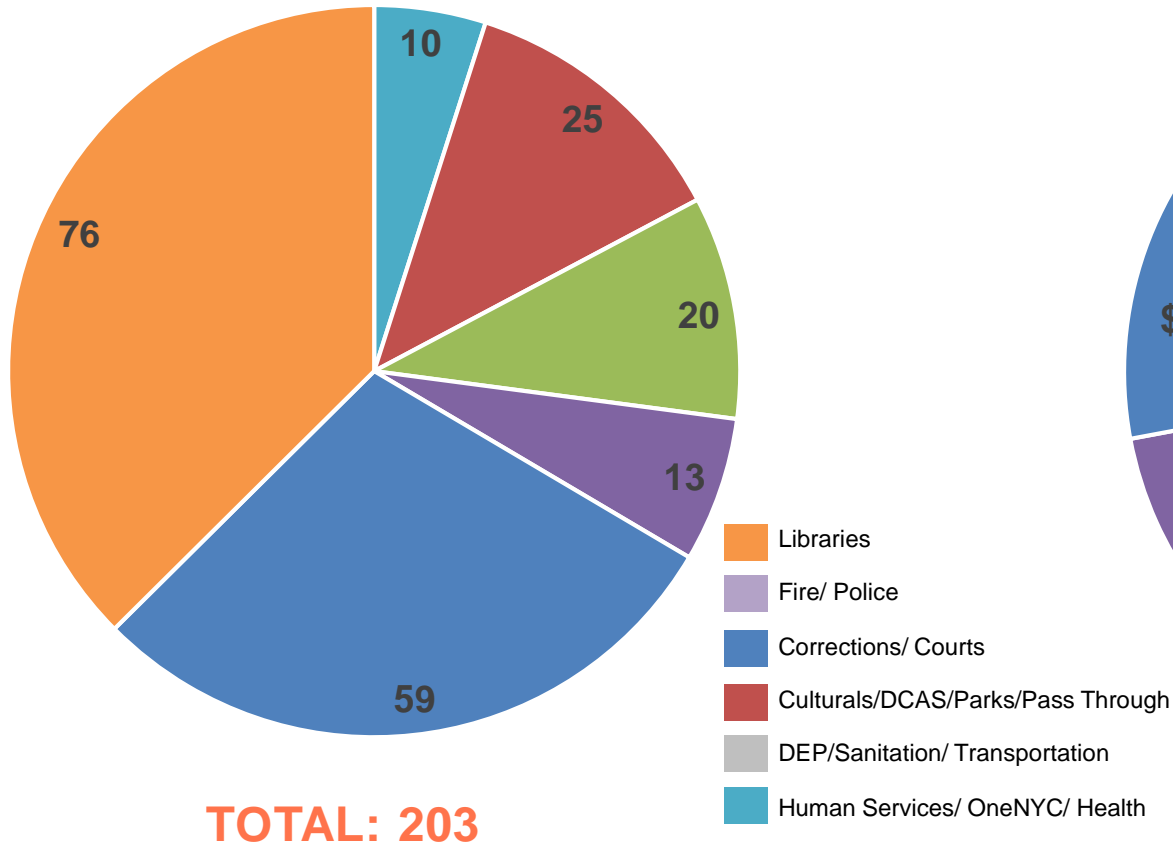


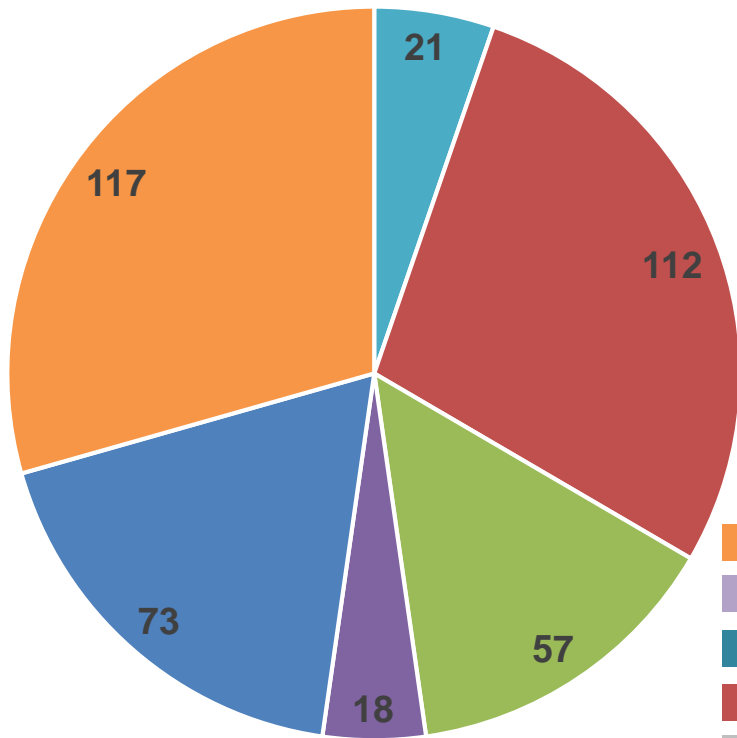
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# **PUBLIC BUILDINGS**

**Thomas Foley, P.E., CCM**  
**Deputy Commissioner**

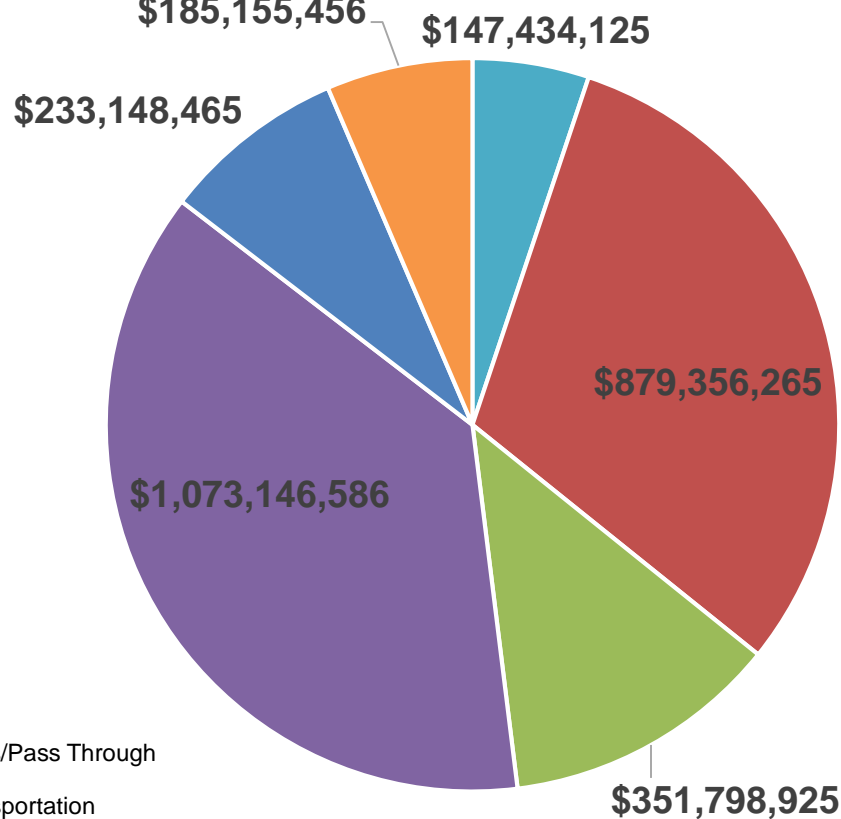
Ana Barrio  
Acting Commissioner





**TOTAL: 398**

- Libraries
- Fire/ Police
- Corrections/ Courts
- Cultural/DCAS/Parks/Pass Through
- DEP/Sanitation/ Transportation
- Human Services/ OneNYC/ Health



**TOTAL: \$2.8B**

# FDNY & DOC Fort Totten Training Academies

Capital Project Scope Development

Estimated Construction Budget \$400-700M

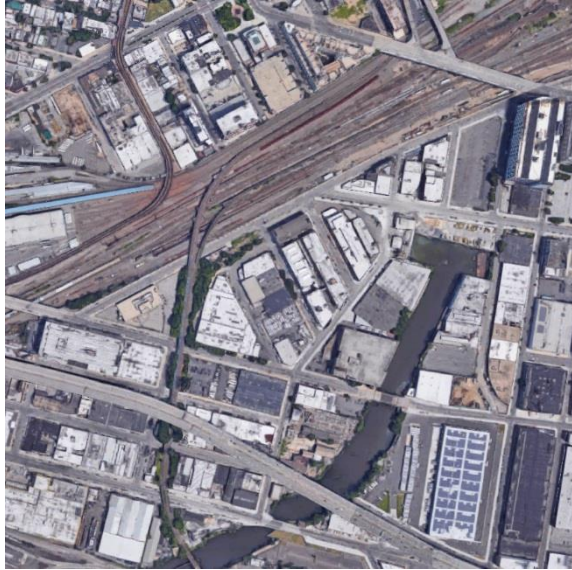


Public Buildings Upcoming Contracting Opportunities

# NYPD Property Clerk Facility

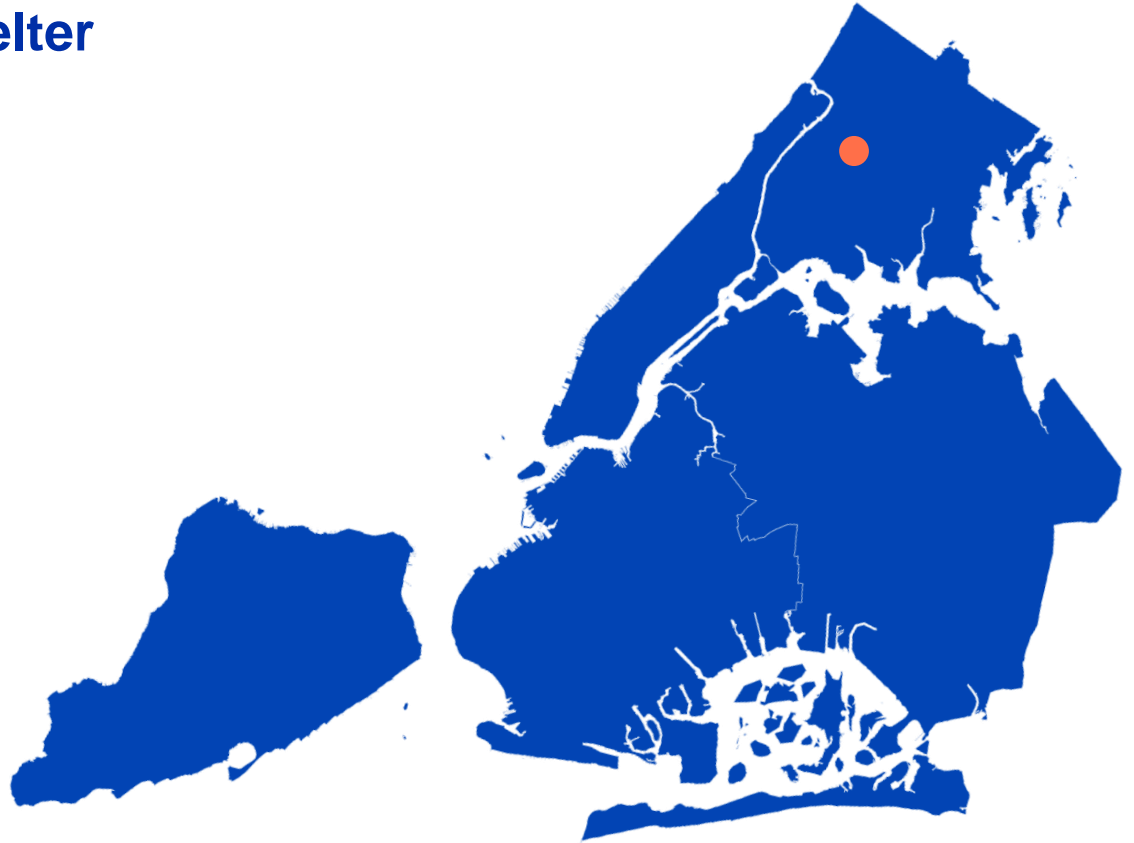
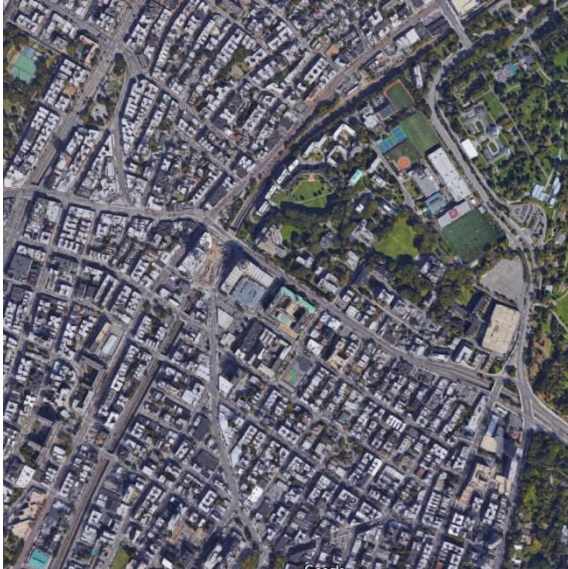
Capital Project Scope Development

Estimated Construction Budget \$300M



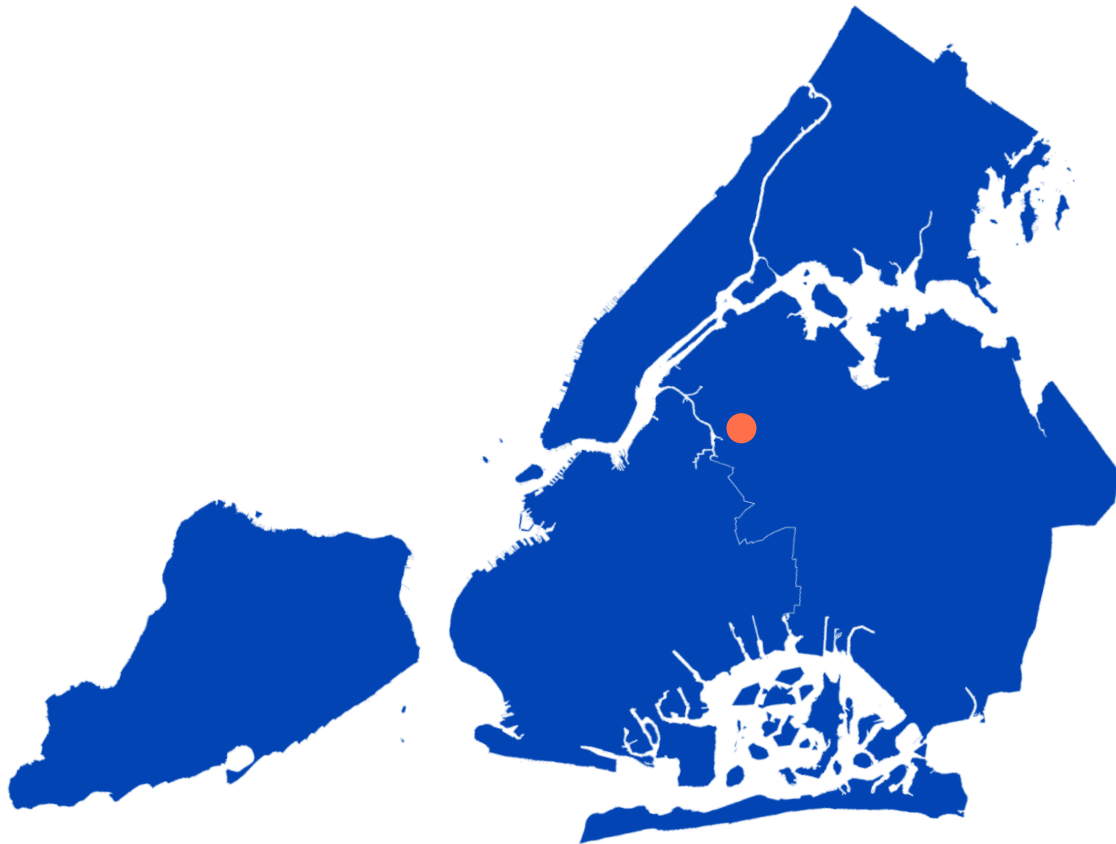
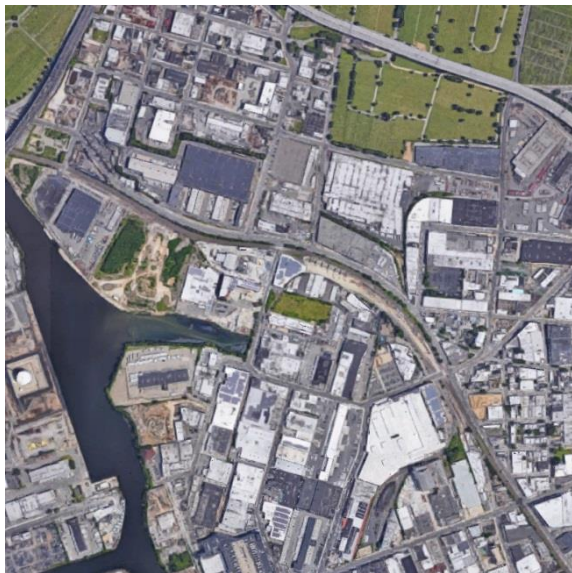
# DOHMH Bronx Animal Shelter

Estimated Construction Budget \$70M



# DEP Maspeth Facility

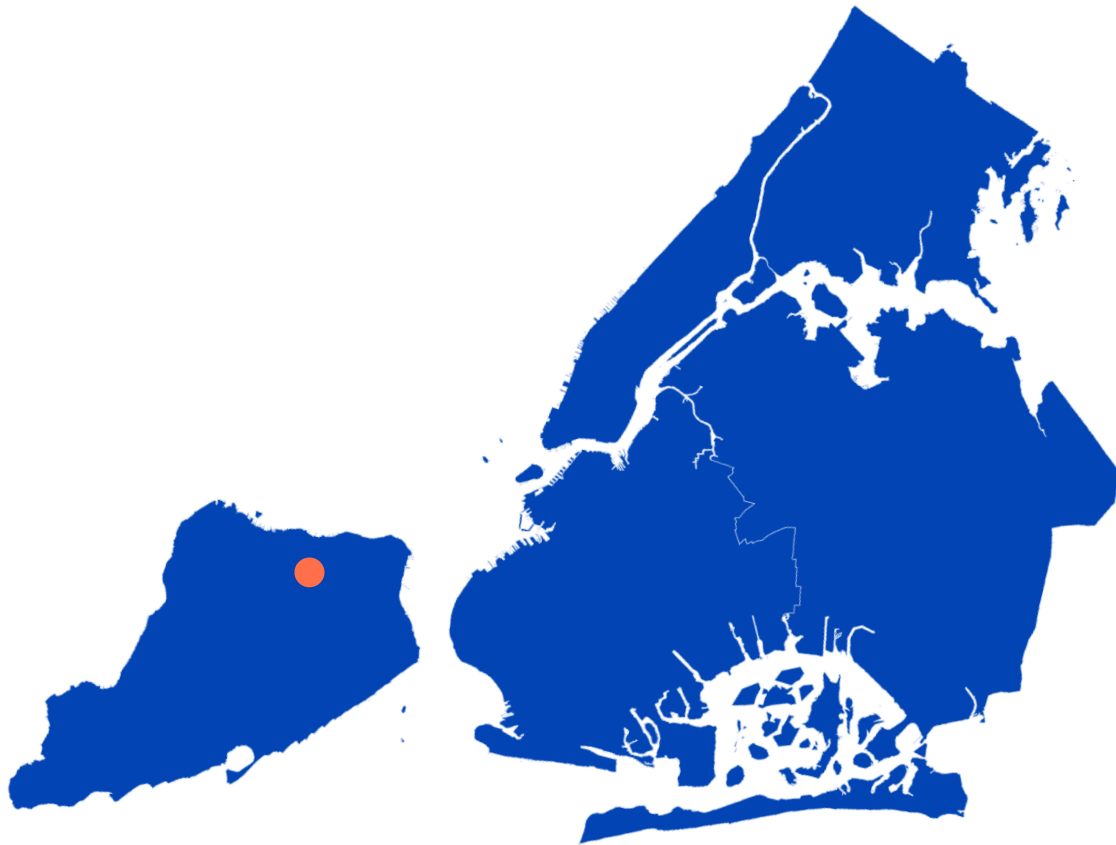
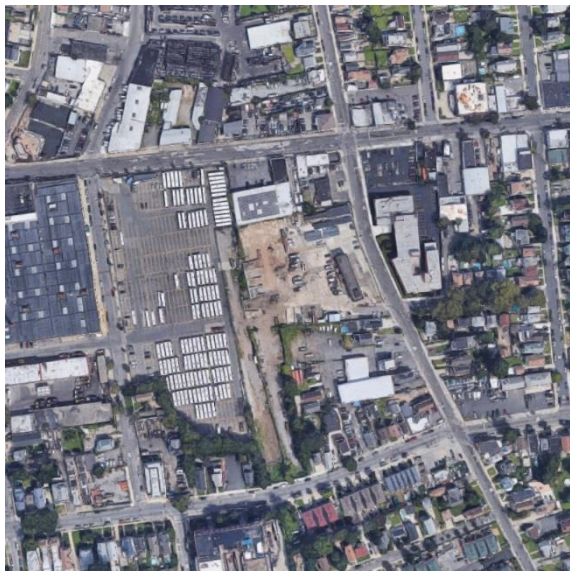
Capital Project Scope Development  
Estimated Construction Budget TBD



# DEP Clove Road Facility

Capital Project Scope Development

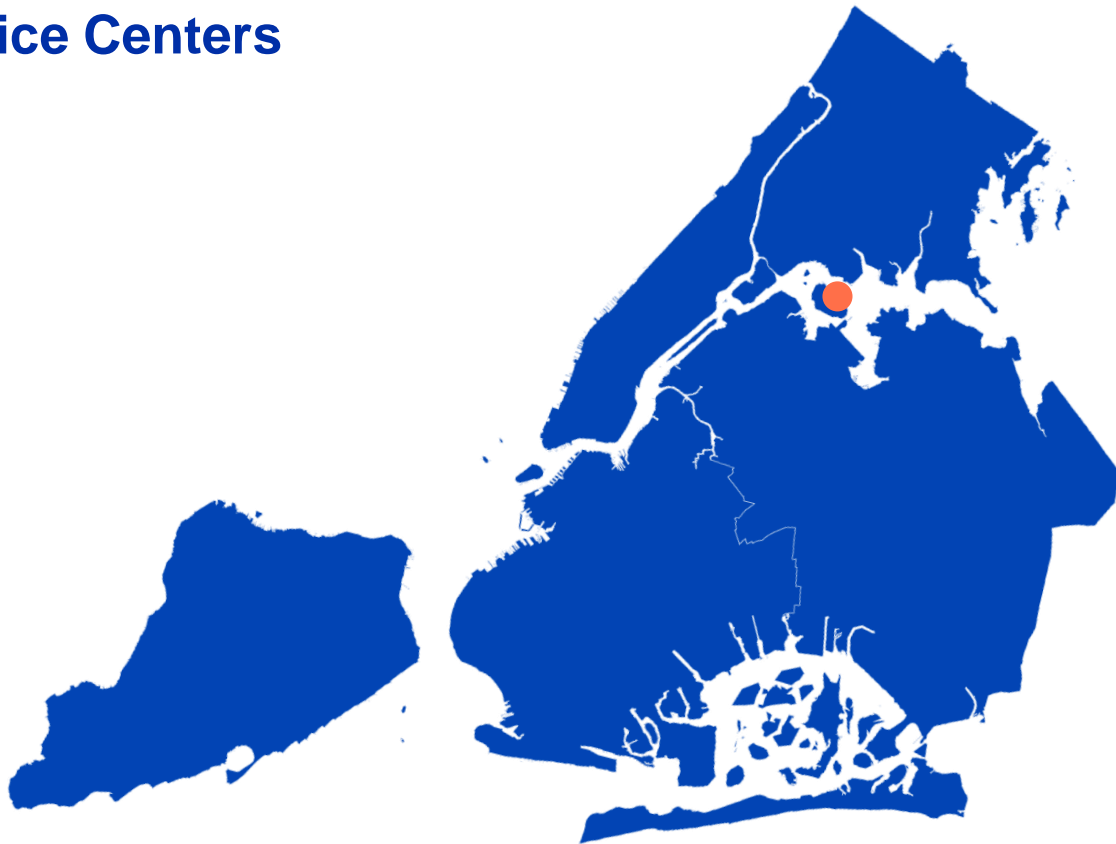
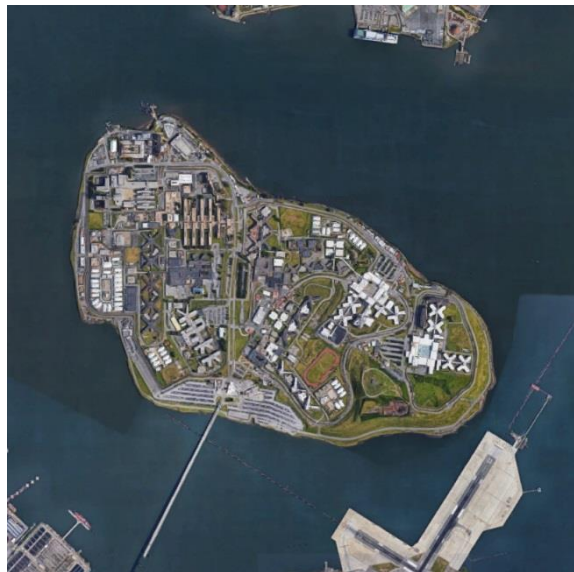
Estimated Construction Budget \$30M



# DOC Borough-Based Justice Centers

Capital Project Scope Development

Estimated Construction Budget TBD



Public Buildings Upcoming Contracting Opportunities



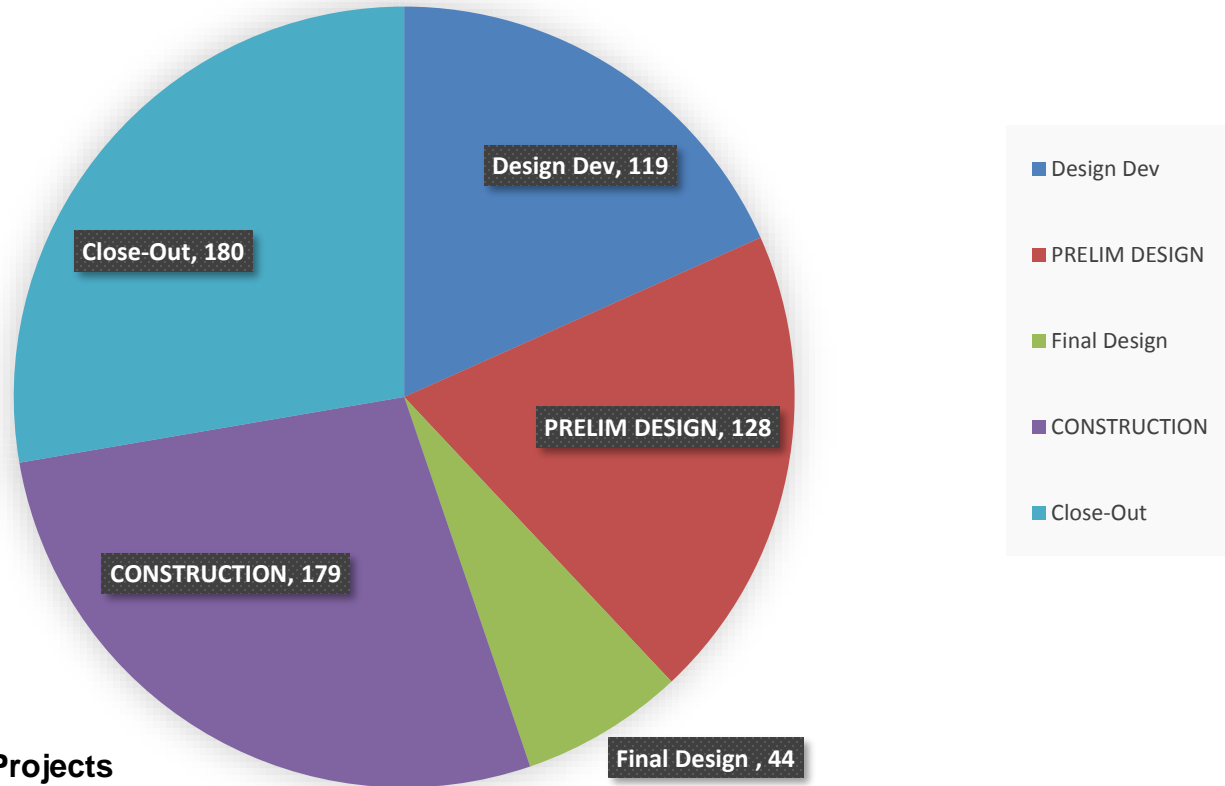
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# **INFRASTRUCTURE**

**Eric Macfarlane, P.E., M.ASCE**  
**Deputy Commissioner**

Ana Barrio  
Acting Commissioner

# INFRASTRUCTURE PORTFOLIO PHASES

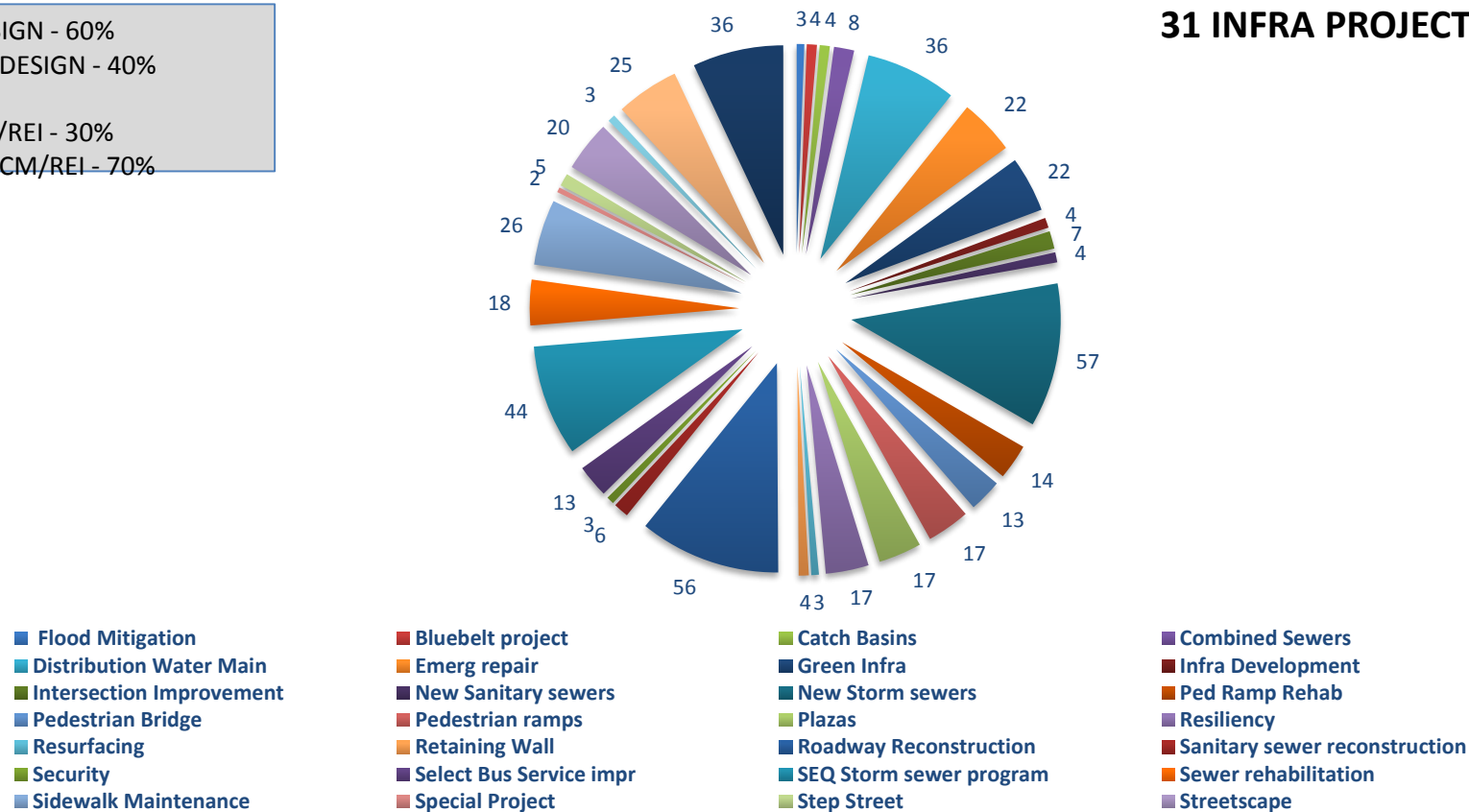


Infrastructure Portfolio 650 Projects  
Estimated Construction value \$ 9.5 billion

IN-HOUSE DESIGN - 60%  
CONSULTANT DESIGN - 40%

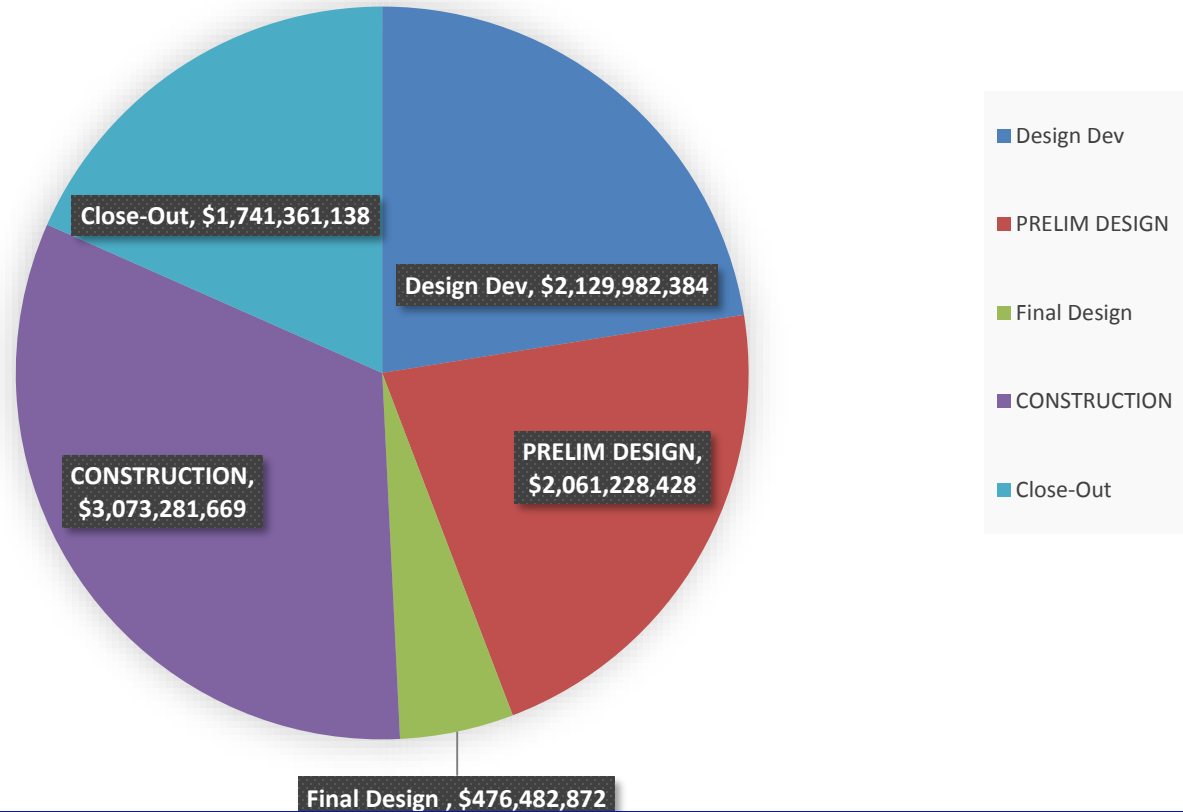
IN-HOUSE CM/REI - 30%  
CONSULTANT CM/REI - 70%

## 31 INFRA PROJECT TYPES



**Infrastructure Portfolio 650 Projects**  
**Estimated Construction value \$ 9.5 billion**

# INFRASTRUCTURE PORTFOLIO PHASES



UNIT	DESCRIPTION	CV SCALE (\$M)
GCJA03-2A	CONSTRUCTION OF RIGHT-OF WAY- GREEN INFRASTRUCTURE IN THE JAMAICA BAY CSO TRIBUTARY AREAS JAM-003 AND JAM-003A	\$10-15M
GCJA03-2B	CONSTRUCTION OF RIGHT-OF WAY- GREEN INFRASTRUCTURE IN THE JAMAICA BAY CSO TRIBUTARY AREAS JAM-003 AND JAM-003A	\$10-15M
GCTI10-1A	CONSTRUCTION OF RIGHT-OF-WAY GREEN INFRASTRUCTUREIN THE FLUSHING CREEK CSO TRIBUTARY AREA TI-010	\$10-15M
HWK779W	RECONSTRUCTION OF EMPIRE BLVD/BED-796	\$10-15M
BED809	RECONSTRUCTION OF WATER MAIN IN AVENUE S, BK	\$10-15M
SEK20068	NEW STORM & COMBINED SEWERS IN 9TH STREET	\$10-15M
SER200151	STORM & SANITARY SEWERS IN AMBOY ROAD AND SOUTH RA	\$10-15M
GCNC77-PA	PERMEABLE ASPHALT PAVEMENT PILOT AND GI IN CSO TRIBUTARY ARE NC-077	\$1-5M
SANDHW08	RECONSTRUCTION OF FRONT STREET, MANHATTAN	\$1-5M
HWK1670	INDUSTRY CITY SAFETY & STREETScape IMPROVEMENTS	\$1-5M
HWCPEDLOC	PERIMETER SECURITY MEASURES	\$25-30M
P-1STARLP	BRONX RIVER GREENWAY: STARLIGHT PARK PHASE II, STAGE 2	\$25-30M
MIBBNC003	CONSTRUCTION OF SANITARY SEWERS, STORM SEWERS (BMP NC-16)	\$30-35M
GCB26-01	CONSTRUCTION OF RIGHT -OF- WAY GREEN INFRASTRUCTURE IN THE BOWERY BAY CSO TRIBUTARY AREAS	\$5-10M
HPED100Q	PEDESTRIAN BRIDGE AT 51 AVE	\$5-10M
HWQ1184A	JAMES COURT ROADWAY AND BULKHEAD	\$5-10M
HWPR18R	REHABILITATION OF PEDESTRIAN RAMPS	\$5-10M

**Fixed-Price Bidding:**

**Overview:** Infrastructure contracts are currently bid on unit prices for items of work. Since 2007, DDC has maintained a Utility Work Items Prices Database to track the prices for 318 utility items of jointly-bid work performed in Lower Manhattan (South of Canal Street).

DDC has additionally launched a joint bid pilot program that includes 21 FY18 projects throughout the five boroughs to develop unit prices that represent the various complexities of working in specific geographic locations. In this pilot, two methods are being used:

Program Name	Revision Date	Pre-Engineering with Quantities	Where to be used / Bid Format
Joint Bid (1.0)	NA	Yes	Use Bid Multiplier Method. Use in Manhattan only. Governed by Joint Bid Agreement with Utility Companies dated 6/6/2006.
Joint Bid (2.0)	4/11/2017	Yes	Unit Price Bid Method. Either use <u>Unit Price Open Bid</u> or <u>Unit Price Open Bid with Price Not Less Than (PNL)</u> on JB items only. Use in Queens, Brooklyn, Staten Island & the Bronx. There is no Joint Bid Agreement with Utility Companies.
Joint Bid (3.0)	10/8/2017	Yes	Bid Multiplier Method. Use in Queens, Brooklyn, Staten Island & the Bronx. There is no Joint Bid Agreement with Utility Companies.

**Goal:** DDC will develop fixed prices for utility work.

**Benefit:** Benefit: Elimination of protracted price disputes between City contractor and Utility companies while City work is at standstill waiting for interferences to be removed while we continue to pay all associated overhead costs that cannot be recovered contractually from the parties in dispute. In addition to elimination of indeterminate delay and neighborhood disruption costs.

**Status Update:** Once the bid results from the 21 joint-bid projects are finalized on 6/30/2018, DDC will adjust the fixed utility price list.

**Next steps:** Propose the City's Fixed Prices for Utility Work to utility companies and GCA in early summer 2018.